

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

|                                     |   |                    |
|-------------------------------------|---|--------------------|
| In the Matter of:                   | ) |                    |
|                                     | ) |                    |
| Kamal Hughes,                       | ) |                    |
|                                     | ) |                    |
| Complainant,                        | ) |                    |
|                                     | ) |                    |
| v.                                  | ) | Docket No. 15-0493 |
|                                     | ) |                    |
| Peoples Gas Light and Coke Company, | ) |                    |
|                                     | ) |                    |
| Respondent.                         | ) |                    |
|                                     | ) |                    |
| A complaint as to billing/charges   | ) |                    |
| in Chicago, Illinois.               | ) |                    |

**RESPONDENT’S CLOSING REPLY BRIEF**

Pursuant to the schedule set by the Administrative Law Judge on March 16, 2015, Respondent Peoples Gas Light and Coke Company (“Peoples Gas”), by and through its attorneys, Chico & Nunes, P.C., files its Closing Reply Brief and in support thereof states as follows:

**I.     ARGUMENT**

Complainant Kamal Hughes (“Mr. Hughes”) has not met his burden to establish that Peoples Gas improperly billed him for natural gas service at 6615 N. Greenview Ave., Chicago, IL 60626. *PlastoFilm Indus., Inc. v. Commonwealth Edison Co.*, Docket No. 94-0119, 1999 WL 33915076 (Ill. Commerce Comm’n July 8, 1999) (“Complainant bears the burden of proof in a complaint case, and in substantiating its allegations the complainant must prove its case by a preponderance of the evidence.”). Therefore, judgment should be entered in Peoples Gas’s favor. *Id.*

Mr. Hughes failed to establish that Peoples Gas violated any Illinois Regulation or Peoples Gas’s Tariff. Instead, in his response Mr. Hughes sets forth several conclusory arguments, some

for the first time (e.g. supposedly including usage of another customer on his account, the alleged institution of disconnection proceedings, and purported loss of information and records from calls with Peoples Gas representatives), none of which are supported by admissible evidence or set forth a legal basis for reduction of his bill. Mr. Hughes does not and cannot establish that Peoples Gas violated any Illinois Regulation or Tariff in billing him for previously unbilled gas services between October 2012 and October 2014. Moreover, Mr. Hughes presented no competent evidence that could call into question the results of his meter test—only his own foundationless conjecture that Peoples Gas’s meter testing lacks integrity. Mr. Hughes showed no violation of any Illinois Regulation or Peoples Gas Tariff with respect to the meter that read gas usage for his property.

Even though it was not required to do so, Peoples Gas demonstrated at the evidentiary hearing and in its Closing Brief that it did not violate applicable Illinois Regulations (83 Ill Admin. Code § 280.100) or its Tariff (*Peoples Gas Light and Coke Company’s Tariff*, Sixth Revised Sheet No. 25 and Tenth Revised Sheet No. 27) when it billed Mr. Hughes for services rendered between October 2012 and October 2014. Peoples Gas also established through records and testimony that Mr. Hughes’s meter was reading usage accurately, and that it faithfully adhered to the requirements of Illinois Regulations (83 Ill. Admin. Code § 500.240(a) and § 500.215).

## **II. CONCLUSION**

Mr. Hughes failed to meet his burden to establish that Peoples Gas violated any Illinois Regulation or Tariff that would entitle him to avoid payment of his natural gas bill totaling \$17,187.70. Mr. Hughes has presented no legal basis supporting his claim. Peoples Gas lawfully and accurately billed Mr. Hughes for natural gas services between October 2012 and October 2014. Therefore, this Court should deny Complaint No. 15-0493.

DATED at Chicago, Illinois on this 18th day of May, 2016.

Respectfully Submitted,

**PEOPLES GAS LIGHT AND COKE COMPANY**

By: /s/ MARK W. WALLIN

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served **RESPONDENT PEOPLES GAS LIGHT AND COKE COMPANY'S CLOSING REPLY BRIEF** by placing a copy thereof in the United States mail with first class postage affixed or electronic mail addressed to each of the parties of record in Ill. C. C. Docket No. 15-0493.

Dated at Chicago, Illinois on this 18th day of May, 2016

By: /s/ MARK W. WALLIN

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